

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE  
N/S Lakeside Blvd., 8479' SE of \* ZONING COMMISSIONER  
Samuel Owings Drive  
Village/Painters Mill, Lot C&D \* OF BALTIMORE COUNTY  
2nd Election District  
3rd Councilmanic District \* Case No. 98-466-SPHA  
Legal Owner: Lyons Mill Assoc. LTD. Partnership  
Contract Purchaser: Northwestern  
Mutual Life Ins. Co., Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Special Hearing and Petition for Variance for the property known as Lots C & D within the subdivision known as the Village of Painters Mill. Lots C & D are located on the northside of Lakeside Boulevard, west of Painters Mill Road, in the Owings Mills Community of western Baltimore County. Special Hearing relief is requested to allow rental townhomes as apartments. A series of zoning variances are requested. They are:

From Section 201.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow as little as 47 ft. from building to street centerline and as little as 7 ft. from building to street line in lieu of the required 60 ft. and 15 ft. setbacks, respectively; and

From Section 201.3.C.1 to allow as little as 10 ft. from building (less than 40 ft. in height) to property line in lieu of required 15 ft. setback; and,

From Sections 102.2 and 201.3.C.1 to allow as little as 19 ft. between apartment building to clubhouse in lieu of the required 60 ft. setback; and,

From Sections 102.2 and 201.3.C.1 to allow as little as 43 ft. between apartment building to apartment building in lieu of the required 60 ft. setback; and,

CHIEF CLERK FOR FILING  
8/12/98  
J. J. DORR  
Dated

From Sections 102.2 and 201.3.C.1 to allow as little as 16 ft. between apartment building to garage in lieu of the required 45 ft. setback; and,

From Section 201.3.C.2 to allow as little as 51 ft. between centers of facing windows of different apartments in lieu of the required 75 ft. setback; and

From Section 200.3.C.1 to allow as little as 21 ft. from building to lot line in lieu of the required 45 ft. setback; and,

From Section 102.2, 200.3.C.1 and 201.3.C.1 to allow as little as 38 ft. between apartment building to garage in lieu of the required 60 ft. setback.

The subject property and requested relief are more particularly shown on the plat to accompany the Petitions for Variance and Special Hearing received as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Wayne Caplen on behalf of Lyons Mill Associates Limited Partnership, Legal Owner of the property. The Petitions were filed by that partnership, as well as the Northwestern Mutual Life Insurance Company, Contract Purchaser. Also present was Mitch Kellman, Bob Green and Jill Schopf from Daft-McCune-Walker, Inc., the consultants who prepared the site plan. Also present was Roman Horoszewski and Richard Bowls. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no Protestants or other interested persons present.

As noted above, the subject Petitions relate to a portion of the subdivision known as The Village of Painters Mill, specifically Lots C & D. These two lots are adjacent to one another, located on the northside of Lakeside Boulevard and total 17.203 acres in area. The entire subdivi-

sion is approximately 76 acres in area, split zoned B.L., RAE-1,RAE-2 and D.R.16.

Testimony and evidence presented was that the Petitioners desire to develop Lots C & D with a mixture of townhouse and apartment units. In total, there will be 357 density units utilized on lots C & D as more particularly shown on the site plan. There will be 9 apartment buildings on lots C & D and 2 townhouse units. Additionally, as shown on the site plan, the project contains a series of detached single story garages. The townhouse units are actually grouped into two separate rows (shown on the plan as Buildings No. 10 and 11). Each row contains 6 units, so that there are 12 units in total.

Much of the variance relief relates to setbacks between buildings and/or street lines. In this regard, uncontradicted testimony and evidence presented was that the setback regulations were designed to prevent a canyon type effect when tall apartment buildings are grouped together. That is, the regulations require a substantial distance between apartment buildings so as to minimize the massing of the buildings. However, in this case, the spirit and intent of the regulations will be observed in that the apartment buildings will be only 4 stories tall. Thus, it was argued that the proposed setback distances are consistent with the style of the units proposed.

Special hearing relief is requested to allow the townhouse units to be rental units and treated as apartments. Photographs of similar townhouses constructed by this Developer were submitted at the hearing which demonstrate that the proposed design is appropriate for this community.

As noted above, there were no Protestants present. Moreover, there are no adverse Zoning Plans Advisory Committee comments. Based upon the testimony and evidence presented, I am persuaded to grant the Petitions.

ORDER RECEIVED FOR FILING  
Date 8/12/98  
By M. G. Gorkh

In my judgment, the proposal represents an appropriate scheme to development in this portion of the subdivision. The innovative design of the apartment buildings and townhouses will be an asset to the community at large. Moreover, I specifically find that the Petitioners have satisfied the criteria for variance and special hearing relief. I find that the Petitioners will suffer practical difficulty and unreasonable hardship if the Petitions are denied and that the project and layout as proposed will not be detrimental to surrounding properties.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12<sup>th</sup> day of August 1998 that, pursuant to the Petition for Special Hearing, approval to allow rental townhomes as apartments, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 201.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow as little as 47 ft. from building to street centerline and as little as 7 ft. from building to street line in lieu of the required 60 ft. and 15 ft. setbacks, respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 201.3.C.1 to allow as little as 10 ft. from building (less than 40 ft. in height) to property line in lieu of required 15 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 102.2 and 201.3.C.1 to allow as little as 19 ft. between apartment building to clubhouse in lieu of the required 60 ft. setback, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING

Date

By

IT IS FURTHER ORDERED that a variance from Sections 102.2 and 201.3.C.1 to allow as little as 43 ft. between apartment building to apartment building in lieu of the required 60 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 102.2 and 201.3.C.1 to allow as little as 16 ft. between apartment building to garage, in lieu of the required 45 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 201.3.C.2 to allow as little as 51 ft. between centers of facing windows of different apartments, in lieu of the required 75 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 200.3.C.1 to allow as little as 21 ft. from building to lot line, in lieu of the required 45 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 102.2, 200.3.C.1 and 201.3.C.1 to allow as little as 38 ft. between apartment building to garage, in lieu of the required 60 ft. setback, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING  
Date 8/2/98  
By M. Gorak



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

August 11, 1998

Robert Hoffman, Esquire  
Venable, Baetjer and Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Case No. 98-466-SPHA  
Petitions for Special Hearing and Variance  
Lyons Mill Assoc. LTD/Northwestern Mutual Life  
Insurance Company, Petitioners

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
att.

c: Mr. J. Robert Green,  
Daft-McCune-Walker, Inc.  
200 E. Pennsylvania Avenue  
Towson, Maryland 21204





# Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at **North Side of Lakeside Blvd. West of Painters  
Mill Road (a/k/a Village of Painters Mill, Lot C  
and Lot D)**

This Petition shall be  
filed with the

Department of Permits & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A Special Hearing to allow rental townhomes as apartments.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

The Northwestern Mutual Life Insurance Company

By: Northwestern Investment Management Company

(Type or Print Name)

By: *Edward R. Skiggs*, DIRECTOR

Signature Edward R. Skiggs, Managing Director

720 East Wisconsin Avenue

Address

Milwaukee

City

WI

State

53202-4797

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Lyons Mill Associates Limited Partnership

By: Continental Realty Investors Corp., General Partner

(Type or Print Name)

By: *John A. Luetkemeyer, Jr.*

Signature John A. Luetkemeyer, Jr., President

(Type or Print Name)

Signature

c/o Continental Realty Corporation

17 W. Pennsylvania Avenue

Address

410-296-4800

Phone No.

Towson

City

MD

State

21204

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

98-466-SPHA

466



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at **North Side of Lakeside Blvd. West of Painters Mill Road (a/k/a Village of Painters Mill, Lot C and Lot D)**

This Petition shall be filed with the

Department of

Permits and Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Variance from Section(s)

which is presently zoned **RAE-1, RAE-2**

See Attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardships or practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

The Northwestern Mutual Life Insurance Company

By: Northwestern Investment Management Company

(Type or Print Name)

By:

Signature *Eugene R. Skiggs*  
Eugene R. Skiggs, Managing Director

720 East Wisconsin Avenue

Address

Milwaukee

City

WI

State

53202-4797

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature *Robert A. Hoffman*

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Lyons Mill Associates Limited Partnership

By: Continental Realty Investors Corp., General Partner

(Type or Print Name)

By:

Signature *John A. Luetkemeyer, Jr.*  
John A. Luetkemeyer, Jr., President

(Type or Print Name)

Signature

c/o Continental Realty Corporation

17 W. Pennsylvania Avenue

Address

410-296-4800

Phone No.

Towson

City

MD

State

21204

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING *2 hrs*

unavailable for Hearing the following dates

Next Two Months

ALL

☒

OTHER

REVIEWED BY: *CAM*

DATE

*1 June 98*

98-466-SPHA

466



## Variance Petition

- Variance from BCZR Section 201.3.C.1 to allow as little as 47 feet from building to street centerline and as little as 7 feet from building to street line in lieu of required 60-foot and 15-foot setbacks, respectively.
- Variance from BCZR Section 201.3.C.1 to allow as little as 10 feet from building (less than 40 feet in height) to property line in lieu of required 15-foot setback.
- Variance from BCZR Sections 102.2 and 201.3.C.1 to allow as little as 19 feet between apartment building to clubhouse in lieu of the required 60-foot setback.
- Variance from BCZR Sections 102.2 and 201.3.C.1 to allow as little as 43 feet between apartment building to apartment building in lieu of the required 60-foot setback.
- Variance from BCZR Sections 102.2 and 201.3.C.1 to allow as little as 16 feet between apartment building to garage in lieu of the required 45-foot setback.
- Variance from BCZR Sections 201.3.C.2 to allow as little as 51 feet between centers of facing windows of different apartments in lieu of the required 75-foot setback.
- Variance from BCZR Section 200.3.C.1 to allow as little as 21 feet from building to lot line in lieu of the required 45-foot setback
- Variance from BCZR Section 102.2, 200.3.C.1, and 201.3.C.1 to allow as little as 38 feet between apartment building to garage in lieu of required 60-foot setback.

TOIDOC51/BAW01/0065575.01

## Description

To Accompany Petition for Zoning Variance and Special Hearing

17.203 Acre Parcel

A Portion of Village of Painters Mill

North Side of Lakeside Boulevard

West of Painters Mill Road

Second Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the north side of Lakeside Boulevard (80 feet wide) at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Samuel Owings Drive with the centerline of Lakeside Boulevard (1) Southeasterly along said centerline of Lakeside Boulevard by a line curving to the left with a radius of 1000.00 feet for a distance of 84.79 feet (the arc of said curve being subtended by a chord bearing South 75 degrees 28 minutes 36 seconds East 84.77 feet and having a beginning tangent bearing of South 73 degrees 02 minutes 51 seconds East and a departing tangent bearing of South 77 degrees 54 minutes 21 seconds East), and thence (2) North 12 degrees 05 minutes 39 seconds East 40.00 feet to the point of beginning, thence leaving said point of beginning and binding on the north side of Lakeside Boulevard, the nine following courses and distances, viz: (1) Northwesterly by a line curving to the right having a radius of 960.00 feet for a distance of 41.34 feet (the arc of said curve being subtended by a chord bearing North 76 degrees 40 minutes 20 seconds West 41.33 feet and having a beginning tangent bearing of North 77 degrees 54 minutes 21 seconds West and a departing tangent bearing of North 75 degrees 26 minutes 20 seconds West), thence (2) North 32 degrees 46 minutes 37 seconds West 14.78 feet, thence (3)

North 72 degrees 44 minutes 01 second West 70.63 feet, thence (4) South 59 degrees 37 minutes 48 seconds West 12.84 feet, thence (5) Northwesterly by a line curving to the right having a radius of 960.00 feet for a distance of 112.99 feet (the arc of said curve being subtended by a chord bearing North 66 degrees 39 minutes 24 seconds West 112.92 feet and having a beginning tangent bearing of North 70 degrees 01 minute 43 seconds West and a departing tangent bearing of North 63 degrees 17 minutes 06 seconds West), thence (6) North 63 degrees 17 minutes 06 seconds West 275.59 feet, thence (7) Southwesterly by a line curving to the left having a radius of 710.00 feet for a distance of 798.31 feet (the arc of said curve being subtended by the chord bearing South 84 degrees 30 minutes 14 seconds West 756.92 feet and having a beginning tangent bearing of North 63 degrees 17 minutes 06 seconds West and a departing tangent bearing of South 52 degrees 17 minutes 33 seconds West) thence (8) South 52 degrees 17 minutes 33 seconds West 111.16 feet, and thence (9) Southwesterly by a line curving to the right with a radius of 630.00 feet for a distance of 351.25 feet (the arc of said curve being subtended by a chord bearing South 68 degrees 15 minutes 54 seconds West and having a beginning tangent bearing of South 52 degrees 17 minutes 33 seconds West and a departing tangent bearing of South 84 degrees 14 minutes 15 seconds West) thence leaving said north side of Lakeside Boulevard and running the three following courses and distances, viz: (10) North 02 degrees 40 minutes 52 seconds West 523.77 feet, thence (11) North 80 degrees 26 minutes 21 seconds East 1651.60 feet, and thence (12) South 02 degrees 48 minutes 06 seconds East 734.57 feet to the point of beginning; containing 17.203 acres of land, more or less.

AGG

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES  
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

May 8, 1998

Project No. 85020.L (L85020.L)





**NOTICE OF ZONING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-466-SPHA  
Village of Painters Mill,  
Lot C & D  
N/S Lakeside Boulevard  
84.79' SE of Samuel Owings  
Drive  
2nd Election District  
3rd Councilmanic District  
Legal Owner(s): Lyons Mill  
Associates Limited Partner-  
ship  
Contract Purchaser: The  
Northwestern Mutual Life In-  
surance Company

Special Hearing: to allow rental townhomes as apart-  
ments. Variance: to allow as  
little as 47 feet from building to  
street centerline and as little as  
7 feet from building to street  
line in lieu of the required  
60-foot and 15-foot setbacks,  
respectively; to allow as little as  
10 feet from building to prop-  
erty line in lieu of the required  
15-foot setback; to allow as lit-  
tle as 19 feet between apart-  
ment building to clubhouse in  
lieu of the required 60-foot  
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feet between apartment build-  
ing to apartment building in  
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quired 45-foot setback; to  
allow as little as 51 feet be-  
tween centers of facing win-  
dows of different apartments  
in lieu of the required 75-foot  
setback; to allow as little as 21  
feet from building to lot line in  
lieu of the required 45-foot  
setback; and to allow as little  
as 38 feet between apartment  
building to garage in lieu of the  
required 60-foot setback.

Hearing: Monday, July 13,  
1998 at 9:00 a.m., in Room  
407, County Courts Bldg.,  
401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible for  
special accommodations  
Please Call (410) 887-3353.  
(2) For information concern-  
ing the File and/or Hearing,  
Please Call (410) 887-3391.

6/480 June 25 C239210

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/25/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on 6/25/, 1998.

**THE JEFFERSONIAN,**

*A. Henrichson*

LEGAL AD. - TOWSON

# CERTIFICATE OF POSTING

RE: Case No.: 98-466-SPHA

Petitioner/Developer: LYONS MILL ASSOC, ETAL

% ROBERT HOFFMAN

Date of Hearing/Closing: 7/13/98

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at N/S LAKESIDE BLVD.

84.79' SE SAMUEL OWINGS DR -

VARIANCE & SPECIAL HEARING

The sign(s) were posted on 6/25/98  
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/28/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

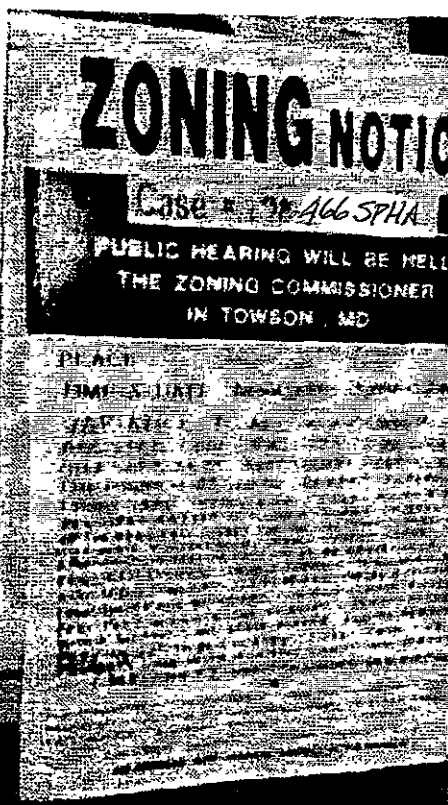
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 15, 1998

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-466-SPHA

Village of Painters Mill, Lot C & D

N/S Lakeside Boulevard, 84.79' SE of Samuel Owings Drive


2nd Election District - 3rd Councilmanic District

Legal Owner: Lyons Mill Associates Limited Partnership

Contract Purchaser: The Northwestern Mutual Life Insurance Company

Special Hearing to allow rental townhomes as apartments. Variance to allow as little as 47 feet from building to street centerline and as little as 7 feet from building to street line in lieu of the required 60-foot and 15-foot setbacks, respectively; to allow as little as 10 feet from building to property line in lieu of the required 15-foot setback; to allow as little as 19 feet between apartment building to clubhouse in lieu of the required 60-foot setback; to allow as little as 43 feet between apartment building to apartment building in lieu of the required 60-foot setback; to allow as little as 16 feet between apartment building to garage in lieu of the required 45-foot setback; to allow as little as 51 feet between centers of facing windows of different apartments in lieu of the required 75-foot setback; to allow as little as 21 feet from building to lot line in lieu of the required 45-foot setback; and to allow as little as 38 feet between apartment building to garage in lieu of the required 60-foot setback.

HEARING: Monday, July 13, 1998 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue

  
Arnold Jablon  
Director

c: Robert A. Hoffman, Esquire  
Lyons Mill Associates Limited Partnership  
The Northwestern Mutual Life Insurance Company

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 28, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





TO: PATUXENT PUBLISHING COMPANY  
June 25, 1998 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormord  
210 Allegheny Avenue  
Towson, MD 21204

410-494-6201

---

**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-466-SPHA

Village of Painters Mill, Lot C & D

N/S Lakeside Boulevard, 84.79' SE of Samuel Owings Drive

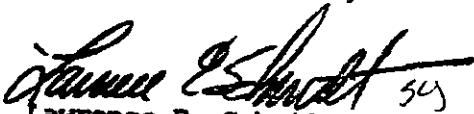
2nd Election District - 3rd Councilmanic District

Legal Owner: Lyons Mill Associates Limited Partnership

Contract Purchaser: The Northwestern Mutual Life Insurance Company

Special Hearing to allow rental townhomes as apartments. Variance to allow as little as 47 feet from building to street centerline and as little as 7 feet from building to street line in lieu of the required 60-foot and 15-foot setbacks, respectively; to allow as little as 10 feet from building to property line in lieu of the required 15-foot setback; to allow as little as 19 feet between apartment building to clubhouse in lieu of the required 60-foot setback; to allow as little as 43 feet between apartment building to apartment building in lieu of the required 60-foot setback; to allow as little as 16 feet between apartment building to garage in lieu of the required 45-foot setback; to allow as little as 51 feet between centers of facing windows of different apartments in lieu of the required 75-foot setback; to allow as little as 21 feet from building to lot line in lieu of the required 45-foot setback; and to allow as little as 38 feet between apartment building to garage in lieu of the required 60-foot setback.

HEARING: Monday, July 13, 1998 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue



LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 466

Petitioner: The Northwestern Mutual Life Insurance Company

Location: N side Lakeside Blvd, W of Painters Mill Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormord

ADDRESS: 210 Allegheny Avenue  
Towson, Md 21204

PHONE NUMBER: 410-494-6201

AJ:ggs

(Revised 09/24/96)

98.466.SPHA



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 98-466-SPHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: Variance to allow <sup>147'±</sup> Farm build See Attached

and Special Hearing to determine whether  
Rental townhomes and Special hearing to Allow  
Rental townhomes as Apartments.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

(MAY Require MORE THAN  
ONE SIGN)

466

~~Variance Petition~~

to permit

- Variance ~~from BCZR Section 201.3.C.1~~ to allow as little as 47 feet from building to street centerline and as little as 7 feet from building to street line in lieu of required 60-foot and 15-foot setbacks, respectively.
- ~~Variance from BCZR Section 201.3.C.1~~ to allow as little as 10 feet from building (less than 40 feet in height) to property line in lieu of required 15-foot setback.
- ~~Variance from BCZR Sections 102.2 and 201.3.C.1~~ to allow as little as 19 feet between apartment building to clubhouse in lieu of the required 60-foot setback.
- ~~Variance from BCZR Sections 102.2 and 201.3.C.1~~ to allow as little as 43 feet between apartment building to apartment building in lieu of the required 60-foot setback.
- ~~Variance from BCZR Sections 102.2 and 201.3.C.1~~ to allow as little as 16 feet between apartment building to garage in lieu of the required 45-foot setback.
- ~~Variance from BCZR Sections 201.3.C.2~~ to allow as little as 51 feet between centers of facing windows of different apartments in lieu of the required 75-foot setback.
- ~~Variance from BCZR Section 200.3.C.1~~ to allow as little as 21 feet from building to lot line in lieu of the required 45-foot setback
- ~~Variance from BCZR Section 102.2, 200.3.C.1, and 201.3.C.1~~ to allow as little as 38 feet between apartment building to garage in lieu of required 60-foot setback.

TOIDOC51/BAW01/0065575.01



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 7, 1998

Robert A. Hoffman, Esq.  
Venable, Batejer, and Howard, LLP  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No.: 466  
Case No.: 98-466-SPHA  
Petitioner: Lyons Mill  
Associates Limited Partnership  
Location: Village of Painters  
Mill, Lot C and Lot D

Dear Mr. Hoffman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 2, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs  
Attachment(s)



Printed with Soybean Ink  
on Recycled Paper



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 6-12-98  
Item No. 466 CAM

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

*R. J. Gredlein*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
            Department of Permits & Development  
            Management

Date:   June 23, 1998

FROM: *RWB* Robert W. Bowling, Chief  
            Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
            for June 22, 1998  
            Item Nos. (466) 467, 468, 469, 470,  
            and 471

            The Development Plans Review Division has reviewed the subject  
zoning items, and we have no comments.

RWB:HJO:jrb

cc:   File

ZONE0622.NOC

ALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM  
FROM: R. Bruce Seeley .  
Permits and Development Review  
DEPRM  
SUBJECT: Zoning Advisory Committee  
Meeting Date: 6/15/98

DATE: 6/16/98

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

466  
467  
468  
469  
470  
471

RBS:sp

BRUCE2/DEPRM/TXTSBP



Lis  
7/13

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**DATE:** June 22, 1998

**FROM:** Arnold F. "Pat" Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 451, 459, 466, 470, and 471

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Division Chief:

*Jeffrey W. Long*

AFK/JL



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

July 10, 1998

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: LYONS MILL ASSOCTS LMTD. PTNP.

Location: DISTRIBUTION MEETING OF JUNE 15, 1998

Item No.: 466 Zoning Agenda:

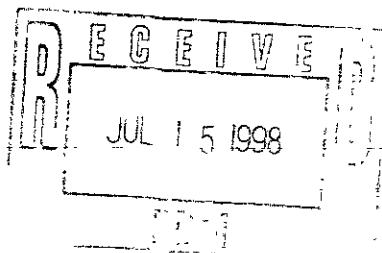
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The vehicle dead end condition shown at: NAME:  
EXCEEDS the maximum allowed by the Fire Department.  
ROADWAY DEADEND AT BUILDING #11.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
Lot C & D Village of Painters Mill, N/S Lakeside  
Blvd., 84.79' SE of Samuel Owings Drive, 2nd  
Election District, 3rd Councilmanic

\*

BEFORE THE

\*

ZONING COMMISSIONER

\*

FOR

\*

BALTIMORE COUNTY

\*

Case Number: 98-466-SPHA

Legal Owners: Lyons Mill Assoc. L.P.  
Contract Purchaser: Northwestern Mut. Life Ins. Co.  
Petitioner(s)

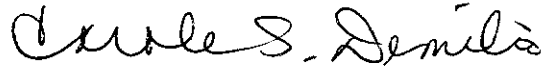
\* \* \* \* \*

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman  
People's Counsel for Baltimore County



Carole S. Demilio  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of July, 1998, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

210 Allegheny Ave 21204

Mitch Kellman DMW

200 E. Pennsylvania Ave

BOB GREEN DMW

"

Jill Schopf DMW

"

Roman Horoszewski Bogzuto

6401 BOWEN TRIANGLE DR. GREENBELT

Richard Bowles Bogzuto

" " " "

Wynne Caplan Greenbelt Avenue, Old Partnership suite 104 Greenbelt Park Dr. Columbia MD 21045

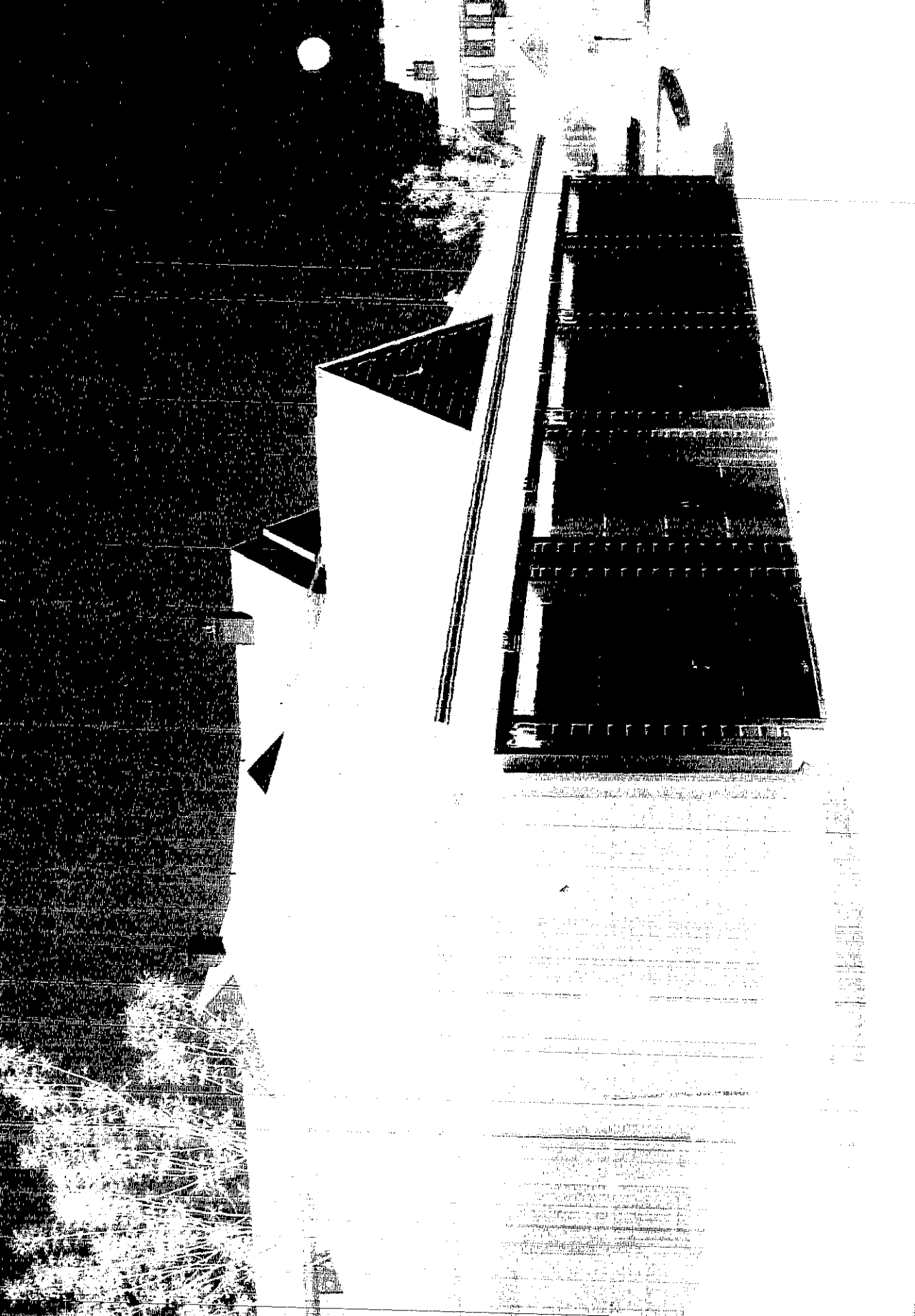








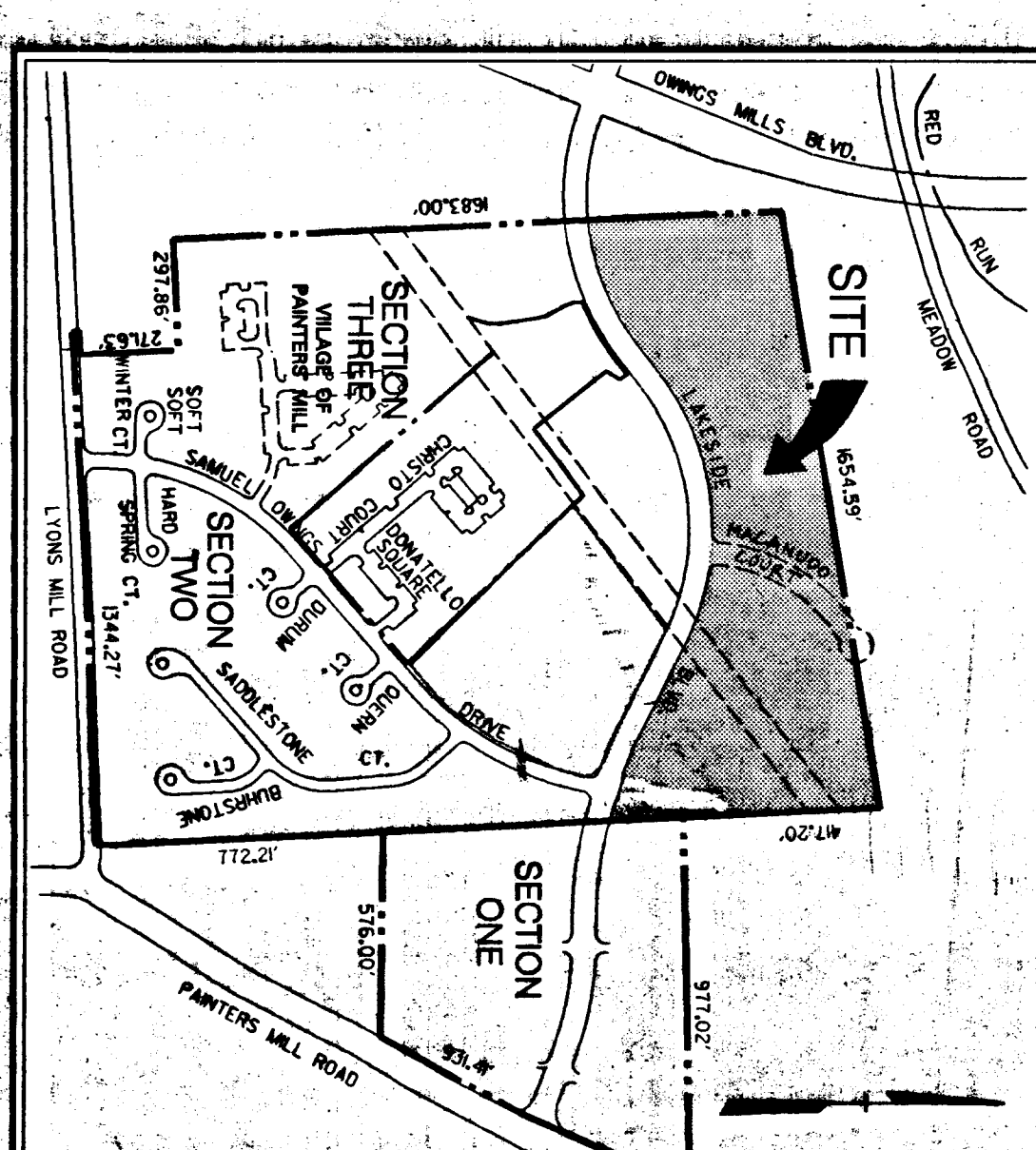
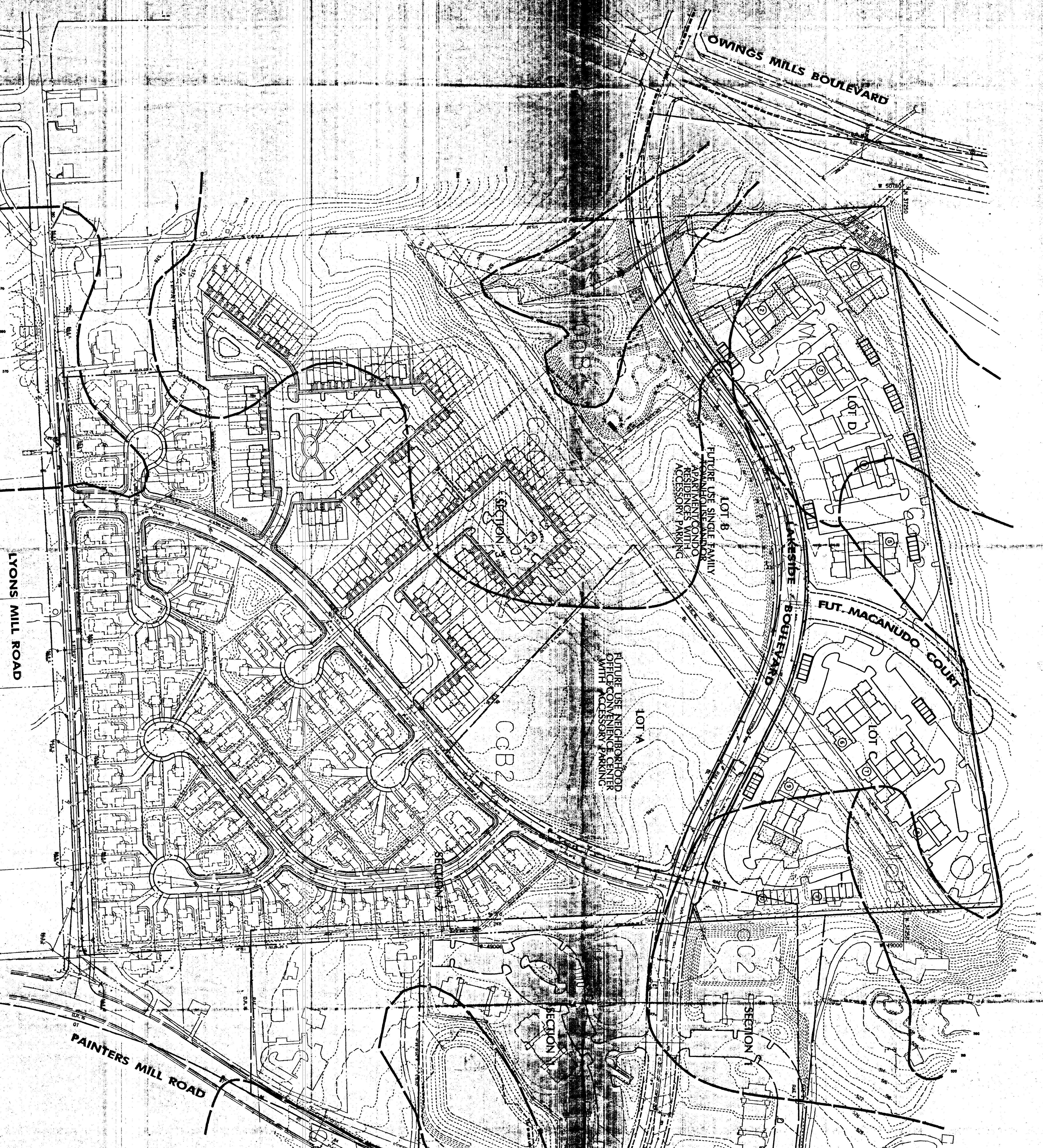












**LOCATION MAP**

SCALE: 1" = 500'

DATA SOURCES:  
FIELD RUN TOPOGRAPHY DATED 2998  
DESIGN DRAWING  
AERIAL TOPOGRAPHY

12/10/02

**DMW**

**Duff-McCune-Walker, Inc.**  
800 East Pennsylvania Avenue  
Baltimore, Maryland 21286  
(410) 396-3333  
Fax: 296-4705

*A Team of Land Planners  
Engineers, Architects  
Landscape Architects  
Environmental Professionals*

FOURTH REVISED SECOND AMENDED  
CRG PLAN

# Village of Painters Mill

ELECTION DISTRICT 2, C3

BALTIMORE COUNTY, MARYLAND

**ISSUE DATES**

REVIEW: 3-23-91

BID: \_\_\_\_\_

PERMIT: \_\_\_\_\_

[illegible]

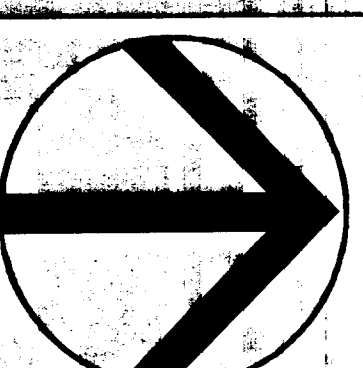
PAGE: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
CMB

DESIGNED: CMR

CHECKED BY: JCS

DATE CHECKED: 11/26/95

SCALE: 1" = 100'



DATE	BY	REVISION
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[illegible]


SCALE: 1" = 100'